

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MAPLE LEAF HOUSING
INVESTMENTS, LLC, a Washington
company,

Plaintiff,

vs.

TEXACO DOWNSTREAM PROPERTIES
Inc., a Delaware corporation,

Defendant.

Case No. 2:18-cv-01710-RSL

**STIPULATED MOTION AND
ORDER FOR 90-DAY STAY OF
LITIGATION PENDING
COMPLETION OF SETTLEMENT
DISCUSSIONS**

Plaintiff MAPLE LEAF HOUSING INVESTMENTS, LLC (“MLHI”) and defendant TEXACO DOWNSTREAM PROPERTIES INC. (“TDPI”) jointly move the Court for an Order (1) staying the litigation, with the exception of settlement discussions, for 90 days and (2) vacating the current trial date and operative case management order (Dkt. # 40). As set forth in greater detail below, the parties are engaged in ongoing settlement negotiations and wish to preserve their, and the Court’s, resources by focusing on a negotiated resolution of this matter rather than active litigation.

Trial in this matter is set for February 1, 2021 and expert reports are due August 5, 2020. Dkt #40. The Parties are hopeful that relief from litigation

STIPULATION RE: RE LITIGATION STAY
TO COMPLETE SETTLEMENT DISCUSSIONS
Case No.: 2:18-cv-01710-RSL
Page 1

Rogers Joseph O’Donnell
311 California Street, Floor 10
San Francisco, CA 94104
(415) 956-2828

[514187.1](#)

1 deadlines will allow them to focus on settlement discussions that will result in settlement
2 of the case. A notice of settlement will be filed if settlement is reached or, if settlement
3 has not been reached by the end of the stay period, the Parties will provide a joint status
4 report to the Court that addresses the status of settlement discussions and proposed case
5 management.

6 Pursuant to the Western District's Local Civil Rule ("LCR") 16(d), a
7 case management schedule may be modified for good cause with the Judge's consent and
8 under LCR16(m)(2) a court, by order, may modify any deadline set forth in LCR 16.
9 There is good cause for the Court to grant this Motion because MLHI and TDPI have
10 reached an agreement regarding a procedure to discuss settlement, the parties have taken
11 steps to effectuate that agreement, and, if settlement is reached, there will be a benefit
12 both to the parties themselves (foregoing unnecessary litigation activity and expense) and
13 to the Court (conserving judicial resources). Moreover, the parties believe that the
14 proposed course is a reasonable alternative to pursuing litigation or seeking other relief
15 from the Court due to the impact of the COVID-19 pandemic.

16 Based on the foregoing, MLHI and TDPI jointly request that the Court
17 issue an order:

- 18 (1) Vacating the current trial date and case management order;
19 (2) Staying litigation activity for 90-days, with the exception of settlement
20 discussions and other ADR activities; and
21 (3) Setting a deadline for a joint status report on settlement and proposed case
22 management no later than 14 days after the litigation stay ends.

23
24 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD
25
26
27

1 Dated: July 16, 2020,

ROGERS JOSEPH O'DONNELL, PC

2 By: /s/ Robert C. Goodman

3
4 Robert C. Goodman, WSBA No. 49144
5 Jon-Erik W. Magnus, WSBA No. 54691
6 311 California Street, 10th Floor
7 San Francisco, CA 94104
8 *rgoodman@rjo.com*
jmagnus@rjo.com
Telephone: (415) 956-2828
Attorneys for Defendant
TEXACO DOWNSTREAM PROPERTIES
INC.

9
10 Dated: July 16, 2020

VERIS LAW GROUP PLLC

11
12 By: /s/ Howard F. Jensen

13
14 Howard F. Jensen, WSBA No. 25144
15 1809 Seventh Ave., Suite 1400
16 Seattle, WA 98101
17 *howard@verislawgroup.com*
Telephone: (206) 829-9590
Attorneys for Plaintiff
MAPLE LEAF HOUSING
INVESTMENTS, LLC

18
19 I attest that concurrence in the filing of this document has been obtained
20 from Howard F. Jensen, counsel for Maple Leaf Housing Investments, LLC.

21
22 Dated: July 16, 2020 ROGERS JOSEPH O'DONNELL

23
24 By: /s/ Robert C. Goodman
25 ROBERT C. GOODMAN
26 Attorneys for Defendant

ORDER

The Court ORDERS as follows:

1. The trial date in this matter and Case Management Order in this matter are VACATED.
 2. With the exception of settlement discussions or other ADR-related activities, the parties shall stay all litigation activities, including discovery, for 90 days after entry of this Order.
 3. On or before October 30, 2020, the Parties will file a joint status report advising the Court of the following: (1) status of settlement; (2) likelihood of settlement; and (3) a proposed case management schedule.

In the event that the case settles, counsel shall notify Deputy Clerk, Kerry Simonds at 206-370-8519 as soon as possible.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this 17th day of July, 2020.

Robert S. Lasnik
HONORABLE ROBERT S. LASNIK
U.S. DISTRICT COURT JUDGE